

2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Juan F. Delacruz,) No. CV 11-1745-PHX-GMS (MEA)
10 Plaintiff,) **ORDER**
11 vs.)
12 Charles L. Ryan, et al.,)
13 Defendants.)
14

15 On September 2, 2011, Plaintiff Juan F. Delacruz, who is confined in the Arizona
16 State Prison Complex-Florence, filed a *pro se* civil rights Complaint pursuant to 42 U.S.C.
17 § 1983 and an Application to Proceed *In Forma Pauperis*. On October 12, 2011, the Court
18 granted Plaintiff's Application to Proceed and dismissed the Complaint with leave to amend.
19 On November 3, 2011, Plaintiff filed an Amended Complaint.

20 **I. Amended Complaint is not Signed**

21 All pleadings must be signed by the party if the party is not represented by an
22 attorney. Fed. R. Civ. P. 11(a) and LRCiv 3.4(a), 7.1(b)(1). An unsigned pleading must be
23 stricken unless omission of the signature is corrected promptly after being called to the
24 attention of the party. Fed. R. Civ. P. 11(a).

25 Plaintiff's Amended Complaint is unsigned. Therefore, Plaintiff will be permitted 30
26 days from the filing date of this Order to submit a completed and signed Certificate, using
27 the Certificate form included with this Order, certifying that Plaintiff's signature on the
28 Certificate shall serve as an original signature on his Amended Complaint for the purposes

1 of Rule 3.4(a) of the Local Rules of Civil Procedure and Rule 11 of the Federal Rules of
2 Civil Procedure.

3 **II. Warnings**

4 **A. Address Changes**

5 Plaintiff must file and serve a notice of a change of address in accordance with Rule
6 83.3(d) of the Local Rules of Civil Procedure. Plaintiff must not include a motion for other
7 relief with a notice of change of address. Failure to comply may result in dismissal of this
8 action.

9 **B. Copies**

10 Plaintiff must submit an additional copy of every filing for use by the Court. See
11 LRCiv 5.4. Failure to comply may result in the filing being stricken without further notice
12 to Plaintiff.

13 **C. Possible Dismissal**

14 If Plaintiff fails to timely comply with every provision of this Order, including these
15 warnings, the Court may dismiss this action without further notice. Ferdik v. Bonzelet, 963
16 F.2d 1258, 1260-61 (9th Cir. 1992) (a district court may dismiss an action for failure to
17 comply with any order of the Court).

18 **IT IS ORDERED:**

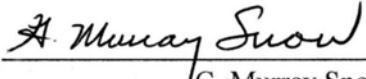
19 (1) Within 30 days of the date this Order is filed, Plaintiff must file a completed
20 and signed Certificate, using the Certificate form provided with this Order, certifying that
21 Plaintiff's signature on the Certificate shall serve as an original signature on his Amended
22 Complaint for the purposes Rule 3.4(a) of the Local Rules of Civil Procedure and Rule 11
23 of the Federal Rules of Civil Procedure.

24 (2) If Plaintiff fails to file, within 30 days, a completed and signed Certificate on
25 the form provided with this Order, the Clerk of Court must strike Plaintiff's Amended
26 Complaint and enter a judgment of dismissal of this action without prejudice and without
27 further notice to Plaintiff.

28

1 (3) The Clerk of Court must mail Plaintiff a Certificate form.

2 DATED this 29th day of November, 2011.

3
4 
5 _____
6 G. Murray Snow
7 United States District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(Your Name and Address)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Juan F. Delacruz,)	No. CV11-1745-PHX-GMS (MEA)
Plaintiff,)	CERTIFICATE
vs.)	
Charles L. Ryan, et al.,)	
Defendants.)	

I, Juan F. Delacruz, hereby certify:

I have read the *pro se* Amended Complaint (Doc. 9) filed by me on November 3, 2011, and to the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

(1) it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;

(2) the claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;

(3) the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

support after a reasonable opportunity for further investigation or
discovery; and
(4) the denials of factual contentions are warranted on the
evidence or, if specifically so identified, are reasonably based on a
lack of information or belief.

I further certify that my signature on this document shall serve as an original
signature on the above-referenced Amended Complaint for the purposes of Local Rule of
Civil Procedure 3.4(a) and Rule 11 of the Federal Rules of Civil Procedure.

EXECUTED on this _____ day of _____, 2011.

(Signature of Plaintiff)
Juan F. Delacruz